



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): B. Arlen Young

Assignee: Adaptec, Inc.

Title: A METHOD AND STRUCTURE FOR SUPPORTING FLOW CONTROL
BY A SCSI INITIATOR DURING THE DATA OUT PHASE OF
THE PACKETIZED SCSI PROTOCOL

Serial No.: 09/745,035 Filed: December 20, 2000

Examiner: Dang, Khanh Group Art Unit: 2111

Docket No.: ADPT1058

Palo Alto, CA

Mail Stop RCE
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R § 1.132 OF B. ARLEN YOUNG

Dear Sir:

I hereby declare:

1. I am the inventor in the above named application.
2. I have at least 35 years of experience, as an inventor and a technical expert, with the patent process including preparation and prosecution of patent applications.
3. In particular, I have over thirty issued patents and have experience related to patentability including anticipation and obviousness gained from assisting in the prosecution of my patent applications.
4. I have over twenty years industrial experience with the SCSI protocols and with developing and implementing devices that utilized the various SCSI protocols.

5. I have been recognized by the SCSI Trade Association as one of the three most significant SCSI architects during the first twenty years of SCSI.

6. I am familiar with the history and the utilization of the various SCSI protocols in industry.

7. I have worked on the development of products that have utilized the various SCSI protocols.

8. I am familiar with the phrase "Packetized SCSI Protocol" and how that phrase is interpreted.

9. I am familiar with the Packetized SCSI Protocol itself and have worked on development of products that utilized the Packetized SCSI Protocol.

10. I also am familiar with the phrase "Packetized SCSI Protocol" as (i) that phrase relates to the definitions and terms used in the above patent application and (ii) that phrase is used in the claims of the above patent application.

11. I have reviewed the specification and pending claims in the above application.

12. I have reviewed U.S. Patent No. 5,287,463 to Frame.

13. I have reviewed the final office action, dated November 24, 2004, in the above application.

14. Based upon information and belief, on May 11, 1988, the filing date of Frame, the Packetized SCSI Protocol was not in use.

15. The Packetized SCSI Protocol does not include a Status In phase and a Command Out Phase.

16. The protocol described by Frame includes the "Status In Phase" (Frame, Cols. 4 and 6) and the "Command Out phase" (Frame Cols. 4 and 6). Thus, Frame describes a protocol that includes more than data phases.

17. There is no teaching in Frame that data transfer, with the SCSI protocol described, would work without using the Status In phase and the Command out phase.

18. A statement that Frame teaches using only SCSI data phases mischaracterizes the teaching in Frame concerning the Status In phase and the Command out phase.

19. A "data packet information unit" in the Packetized SCSI Protocol is not as characterized in the final rejection.

20. The teaching of Frame of "a header delivering seven bytes of information. Included in the header are a REQ/ACK offset byte, source and destination ID verify bytes, frame length bytes and checksum byte," demonstrates that that Frame does not teach a Packetized SCSI Protocol data packet information unit at least because a REQ/ACK offset byte is not included in the data packet information unit of the Packetized SCSI Protocol.

21. Any interpretation used by one of skill in the art of "data packet information unit in a Packetized SCSI Protocol Data Out phase" would be consistent with the Packetized SCSI Protocol because if a different interpretation were used, (such as that quoted in Paragraph 20 and cited in the final rejection) the data packet information unit would not work

because it would not be consistent with the Packetized SCSI Protocol. The reason for a specified protocol is that both the sender and receiver know what to expect based upon the specified protocol.

22. Frame teaches that the header cited in the final rejection is transmitted in a Command Out phase and not in a data phase.

23. The REQ signal cited by the Examiner is not received by the initiator "during transfer of said data packet information unit." The REQ signal can only occur after transfer of a data packet information unit has completed.

24. The characterization of the parity line use, in the final rejection of Claim 1, as controlling flow control is incorrect. The final rejection seems not to understand how the parity line is used.

25. In the SCSI protocol that uses parity, the parity signal is generated by the generator of the data signals. During the Data Out phase, the initiator, not the target, generates the parity signal. Therefore during a Data Out phase for a SCSI protocol that uses parity, there is no way the target can signal the initiator via the parity line that an error has been detected and the data transfer should be stopped.

26. The fact that the rejection relies upon a parity error signal further demonstrates a misunderstanding of the Packetized SCSI Protocol, because in the Packetized SCSI Protocol, the parity lines of the bus are not used to determine data transmission errors.

27. If the parity line is being used to determine a parity error as stated in the final rejection, the bus protocol is not the Packetized SCSI Protocol. The final rejection is logically inconsistent in the assertions that are made concerning the teaching of Frame as to using byte parity as it relates both to the Packetized SCSI Protocol and to the SCSI protocol that utilizes parity.

28. The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

Respectfully submitted,

01 APRIL 2005

Date


B. Arlen Young